

REMARKS

In the Office Action mailed January 31, 2007, the Examiner rejected all pending claims 1-15 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,158,625 (Casaccia). Applicant has reviewed Casaccia and the Examiner's comments, and requests reconsideration of the present claims in view of the remarks below.

To anticipate a claim, each and every element as set forth in the claim must be found in a single reference (MPEP § 2131). Applicant submits that Casaccia does not teach all limitations of any of independent claims 1, 9 or 12. Particularly, Casaccia does not teach a method of canceling setup of a conference between an originating station and a terminating station via a conference server in a scenario where:

(a) the conference server has received an invitation message from the originating station seeking to set up the conference with at least the terminating station and

(b) the conference server then *receives a cancellation message from the originating station before setup of a conference leg* between the conference server and the terminating station is complete, the method comprising:

in response to the cancellation message, (i) completing setup of the conference leg between the conference server and the terminating station and (ii) then sending a teardown message from the conference server to the terminating station to tear down the conference leg between the conference server and the terminating station

as in claim 1, and similarly in claims 9 and 12. (emphasis added).

Casaccia teaches a method for automatically terminating a call between a first and second subscriber unit. Casaccia teaches many methods for doing so, but only one which includes the structure and messages recited in the present claims: a call between an originating station and a terminating station via a server. That method is shown in Figure 8. However, Casaccia does not teach the recited steps in the same order as in the present claims.

Casaccia teaches that the first user originates a call that will ring the second user and will automatically be terminated upon the ringing of the second subscriber station. Thus, a call message (e.g., invite) is created and sent to a proxy server. The proxy server receives the request and sends a notification (also called an invite) to the second user that there is an incoming voice call for the second user. The second subscriber station receives the notification and begins ringing. The second subscriber station sends a ringing message to the proxy server, which then sends a ringing message to the first subscriber station. A termination message (called a Cancel) is then generated at the first subscriber station and sent to the proxy server without requiring any action by the first user. Upon receipt of the termination message, the proxy server sends a corresponding termination message (also called a Cancel) to the second subscriber station. The call attempt is then terminated at the second subscriber station, which stops ringing when the termination message from the proxy server is received. (Col. 14, line 12 to Col. 15, line 35).

Casaccia does not teach that the server *“receives a cancellation message from the originating station before setup of a conference leg between the conference server and the terminating station is complete,”* as in claim 1. Rather, in Casaccia, the termination message is sent after setup of the leg between the second subscriber station and the proxy server.

In addition, Casaccia does not teach *“in response to the cancellation message, (i) completing setup of the conference leg between the conference server and the terminating station and (ii) then sending a teardown message from the conference server to the terminating station to tear down the conference leg between the conference server and the terminating station,”* as in claim 1. Within Casaccia, in response to receiving the termination message, the proxy server sends a corresponding termination message to the second subscriber station to terminate the call at the second subscriber station, which stops ringing when the termination message from the

proxy server is received. Setup of a communication leg is not established between the second subscriber station and the proxy server in response to receiving the cancellation message.

The Examiner asserted that Casaccia teaches the limitations of the independent claims within Figure 7, and col. 3 at lines 18-59. However, Figure 7 only shows a conventional flow diagram of a SIP communication system where a media session is created between two subscribers. Figure 7 does not show any cancel or termination messages. Figure 8, which includes the steps of the invention for automatically terminating a call, builds upon Figure 7 and is the only discussion within Casaccia that includes the structure and messages recited in the present claims. As mentioned though, Casaccia does not teach the order of messaging as recited within the present claims. Casaccia's system is directed to automated termination of a call to enable users to ring other users without risking that the call would be answered (Col. 2, lines 50-54), in contrast with that of the present application—canceling setup of a media conference by completing setup of the conference leg between the conference server and the terminating station and then sending a teardown message from the conference server to the terminating station.

Conclusion

Applicant respectfully submits that, in view of the remarks above, all of the pending claims are allowable over the cited references. Applicant therefore respectfully requests withdraw of the current rejections. The Examiner is invited to call the undersigned at (312) 913-3331 with any questions or comments.

Respectfully submitted,

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